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26 **Admitted Pro Hac Vice*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Melinda Adkins, et al.,

Plaintiffs,

v.

Union Pacific Railroad Company, et al.,

Defendants.

No. 2:21-cv-01818-APG-VCF

**JOINT MOTION TO EXTEND
TIME FOR RESPONSE, REPLY,
AND ANY SUR-REPLY
REGARDING KINDER
MORGAN'S MOTION TO DISMISS
AND JOINDER (First Request)**

1 Defendants CalNev Pipe Line, LLC; Kinder Morgan Pipeline, LLC; Kinder
 2 Morgan Energy Partners, L.P.; and Kinder Morgan, Inc. (collectively, “Kinder Morgan”),
 3 and all Plaintiffs, through undersigned counsel, jointly stipulate and request that the Court
 4 extend the deadlines for briefing on Kinder Morgan’s Motion to Dismiss Plaintiffs’ First
 5 Amended Complaint (the “Motion”) (Dkt. 65) and Kinder Morgan’s Joinder in Defendant
 6 City of Las Vegas Downtown Redevelopment Agency’s Motion to Dismiss (the
 7 “Joinder”) (Dkt. 66). As explained below, there is good cause for the extensions.

8 On October 7, 2021, Defendant the City of Las Vegas Downtown Redevelopment
 9 Agency (the “City”) filed a motion to dismiss Plaintiffs’ First Amended Complaint. Dkt.
 10 18. Shortly thereafter, on October 18,¹ Kinder Morgan filed its Motion and Joinder, which
 11 expressly join in and incorporate one of the arguments raised in the City’s motion.

12 On October 19, Plaintiffs sought an extension of time to respond to the City’s
 13 motion based on Plaintiffs’ then-forthcoming motion to remand this matter and “the
 14 importance of an early determination of subject matter jurisdiction” by the Court. Dkt. 63
 15 at 2–3. However, Plaintiffs did not seek a corresponding extension of time to respond to
 16 Kinder Morgan’s Motion and Joinder at that time. The Court granted Plaintiffs’ requested
 17 extension regarding the City’s motion, giving Plaintiffs until November 15 to file their
 18 response. Dkt. 81.

19 Because Kinder Morgan’s Motion and Joinder expressly incorporate and join the
 20 City’s motion, Plaintiffs and Kinder Morgan agree that it would be most efficient—and
 21 would avoid overcomplicating matters—if extensions are granted for the briefing on
 22 Kinder Morgan’s Motion and Joinder that parallel the extensions granted with respect to
 23 the City’s motion.

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 26 ¹ Kinder Morgan re-filed the Motion and Joinder as separate documents on
 October 21, 2021, pursuant to the Clerk’s Notice. *See* Dkts. 60, 64.

Accordingly, the parties respectfully stipulate and request that the Court extend the deadlines for briefing the Motion and Joinder as follows:

Event	Deadline
Plaintiffs' amended responses to Kinder Morgan's Motion and Joinder ²	November 22, 2021
Kinder Morgan's replies in support of the Motion and Joinder	Seven days after Defendant the City of Las Vegas Downtown Redevelopment Agency files its reply in support of its motion to dismiss (Dkt. 18)
Plaintiffs' motion for leave to file any sur-replies regarding Kinder Morgan's Motion or Joinder	Seven days after Kinder Morgan files its replies

The parties also respectfully request that any hearing on the Motion and Joinder or the City's motion be set after the above-referenced deadlines have passed.

² Should Plaintiffs choose not to file an amended response, their previously filed responses (Dkts. 83 & 84) shall remain operative.

1 Dated: November 10, 2021

2 **MUELLER & ASSOCIATES, INC.**

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14 *Morgan, Inc.*

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17 **Admitted Pro Hac Vice*

18 IT IS SO ORDERED:

19 
UNITED STATES DISTRICT JUDGE

20 DATED: November 15, 2021